

### Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of the claims in this application.

Listing of claims:

1-3. (Canceled)

4. (Currently Amended) A method for inducing apoptosis in human prostate cancer or breast cancer cells comprising: delivering to and expressing in said cells a nucleic acid ~~encoding KChAP protein~~ comprising: i) a nucleotide sequence encoding human KChAP protein; and ii) a promoter active in said cancer cells, wherein the promoter is operably linked to the sequence encoding said protein, wherein said cancer cells are in a tumor in a subject, and wherein said nucleic acid is in a viral vector which is delivered to said cancer cells by intratumoral injection.

5. (Canceled)

6. (Canceled) The method of claim 4 wherein said nucleic acid comprises: i) a sequence encoding human KChAP protein; and ii) a promoter active in the cancer cells, wherein the promoter is operably linked to the sequence encoding said protein.

7. (Original) The method of claim 4 wherein the cancer cells comprise a native p53 protein.

8. (Original) The method of claim 4 wherein the cancer cells comprise a mutant p53 protein.

9-14. (Canceled)

15. (Previously presented) The method of claim 4, wherein the nucleic acid encodes a protein having the sequence set forth in SEQ ID NO: 2.

16-25. (Canceled)

26. (Previously presented) The method of claim 4, wherein said cancer cells are human prostate cancer cells.

27. (Previously presented) The method of claim 4, wherein said cancer cells are human breast cancer cells.